III. REMARKS

In the Office Action, claims 92-95 were rejected under 35 U.S.C. 112, first paragraph, as failing to support subject matter in the claims, with respect to a lack of showing of a claimed computer readable medium.

Claims 71, 78, 88, 90 and 95 were rejected under 35 U.S.C. 102 as being anticipated by Elsmore for reasons set forth in the Action.

Various ones of the claims were also rejected under 35 U.S.C. 103 as being unpatentable over the cited art, namely, claims 38-44, 46-52, and 92-94 over Ali (US 2003/0197679) in view of Larson WO 02/47365, and Swerup (US 20020177464), claims 53, 56, 58-59, 61-62, 65, 77, 81-82, 86-87, 89 and 91 over Elsmore in view of Sameshima (US 20020158889), claim 63 over Elsmore in view of Sameshima and Abkowitz, claim 72 over Elsmore in view of Abkowitz, claims 64 and 69-70 over Elsmore, Sameshima and Ali, claims 66-68 over Elsmore, Sameshima and Larson, claim 73 over Elsmore and Larson, and claim 74 over Elsmore, Abkowitz and Larson.

With respect to the rejections of claims 92-95 under 35 U.S.C. 112, first paragraph, it is noted that present Fig. 1 shows a processor 12 operative with a memory 14 and, as is disclosed at the bottom of page 4 of the specification (the PCT application as published), the operation of the mobile device 10 is controlled by software computer program instructions loaded into the processor 12 from the memory 14. This teaching is believed to provide proper support for the claim language "computer-readable medium" and "computer program instructions". It is well established that a memory has a computer readable medium in order to have its stored program instructions be read by a computer.

With respect to the rejections under 35 U.S.C. 102 and 103, the following argument is presented to distinguish the claimed subject matter from the teachings of the cited art, considered individually and in combination, thereby to overcome the rejections and to show the presence of allowable subject matter in the claims.

The independent claims 38, 50 and 92 relate to a first embodiment of the invention, as claimed. This embodiment relates to device comprising a display and first and second keys that are associated with the display. The display is configured to display "information content" with a first orientation. Control content, indicating the function of the key for example, is displayed adjacent the first and second keys, with first control content being adjacent the first key and second control content being adjacent the second key.

The device is configured to change the orientation of the information content and to interchange the first control content an the second control content and also the first function and the second function. Claim 38 currently recites:

38. A device, comprising:

a display, and first and second input keys associated with the display:

the display being configured to display information content with a first orientation , first control content, adjacent the first input key, indicating that the first input key has a first function, and second control content, adjacent the second input key, indicating that the second input key has a second function: and

a processor, for controlling the display, configurded to vary the first orientation of the information content to a second orientation, to interchange the first function and the second function, and to interchange the first control content and the second control content, such that the second input key has the first function and the first control content is adjacent the second input key, and such that the first input key has the second function and the second control content is adjacent the first input key.

In the Office Action, the examiner has stated that claim 38 is obvious in light of Ali, Larson and Swerup. In summary, it is submitted that none of the references cited by the examiner discloses the claimed feature of interchanging the first control content and

the second control content, such the first control content is adjacent the second input key and the second control content is adjacent the first input key.

Since none of the individual references disclose this feature, it follows that no combination of the teachings of these documents present or suggest this feature. The examiner acknowledges that this feature provides an advantage as it "would be troublesome to the user if he has to learn a new configuration layout to each mode".

Ali discloses a device comprising a display and a keypad 750 which includes soft keys 870 and fixed keys 880. The fixed keys 880 each have a fixed function. The soft keys 870 each have a function that is programmable and indicated by one of the soft key icons located next to the soft keys 870 (paragraph [0068]).

Ali [0070] indicates that a display mode function is provided which "rotates the display 740 through all four orthogonal orientations, including portrait mode (Fig. 8B) and landscape mode (Fig. 8C), with each press of the corresponding key". Ali does not, however, provide an illustration of the display 740 in each of the four orthogonal orientations. Ali only provides illustrations of two of the orientations in Figs. 8B and 8C. It can be seen from Figs. 8B and 8C that when the display 740 is rotated from portrait mode (Fig. 8B) to landscape mode (Fig. 8C), the soft key icons 820 are also rotated, but remain fixed in position next to their respective keys.

There is no disclosure in Ali of interchanging the first control content and the second control content, such that the first control content is adjacent the second input key and the second control content is adjacent the first input key. The examiner acknowledges that this is the case. Neither Larson nor Swerup disclose the presence of control content (see e.g. Figs. 6-9 of Larson and Figs. 1-3 of Swerup). There cannot, therefore, be disclosure of the interchange of control content in either of these two documents. It is respectfully submitted that this feature is not disclosed in any of the cited prior art references and therefore, no combination of the cited prior art references can disclose this feature.

As noted above, the examiner acknowledges that this feature provides an advantage. It is respectfully submitted that this feature is novel and inventive. The examiner, although acknowledging that Ali does not disclose the interchange of first control content and second control content, states "However, note in the figures above that Ali desires to maintain the order of the input keys, this is most likely because [it] would be troublesome to the user if he [had] to learn a new configuration layout to each mode".

It is respectfully submitted that, in Ali, there is no disclosure regarding this intention and this statement may be based on hindsight. It is not clear from the disclosure of Ali what happens to the control content when the device is in the other orientations. Ali provides no indication of the order that the soft key icons 820 should be displayed in when the displayed information is rotated to the two orientations that are not illustrated in the figures of Ali. The examiner is requested, respectfully, to indicate the specific disclosure of Ali that shows the desire to maintain the order or the input keys rather than maintaining the control content fixed adjacent the original keys as illustrated in the figures of Ali.

Possibly, the examiner is incorporating an aspect of the claimed subject matter into the prior art, namely, the inventor's recognition of the problem to be solved i.e. that it would be desirable to maintain the order of the keys by changing the position of the keys' control content.

Based on the above assumption concerning the intention of Ali, which appears to be incorrect, the examiner states that the feature of interchanging the control content is not explicitly disclosed in Ali "because Ali only shows tilting the device to one side". The examiner then cites Larson as "disclosing a device that the screen can be rotated to either side in landscape mode (90, 180, and 270 degrees; Figs. 6-13)". The examiner concludes that, based on the disclosure of Ali and Larson, the feature of interchanging the control content would therefore be obvious to one of ordinary skill in the art at the time of the invention.

Larson discloses a pocket personal computer (PPC) in reference to Figs. 6-9. The PPC includes a field of keys 224 that are manually rotatable with respect to the screen 214. Four sensor strips are arranged around a rotatable support 256 supporting the field of keys 224 (page 15, lines 1-5).

Larson indicates at page 15, lines 17 to 19 that "[a]n electronic link is provided between that [sensor strips] and the screen to control the orientation of the information on the screen as schematically shown in the drawings". Figs. 6-9 illustrate the direction that information would be displayed on the screen in four different orientations but do not show any information being displayed on the screen.

The purpose of Larson seems to be to allow a user to manually configure the device to make the use of the device as easy and comfortable as possible for the user, for example, allowing left handed and right handed users to use the same device comfortably. The orientation of the information on the screen is linked to the manual orientation of the rotatable keys to make the device easy to use in all configurations. It is respectfully submitted that it does not make sense to separate the feature of rotating the information content on the screen from the feature of manually rotating the keys of the device as this would mean that the device would not be suitable, for example, for easy left handed and right handed operation. Doing so would therefore destroy the purpose of Larson.

Larson teaches manual rotation of he keys and does not disclose the rotation or interchange of control content adjacent the keys.

If the keys of Ali were rotated as the orientation of the device is changed, as taught in Larson, the input keys would not remain adjacent the display and therefore the control content, in each orientation.

Therefore, the skilled person would not combine these references or, if they did, they would not realize the presently claimed invention.

The examiner acknowledges further that the combination of Ali and Larson does not disclose interchanging the first function and the second function, such that the second input key has the first function and vide versa. The examiner has cited Swerup as disclosing this feature and alleged that the combination of Ali, Larson and Swerup renders claim 38 obvious.

Swerup discloses a method and apparatus for assigning the values or functions to be represented by the keys of a keypad in a mobile communication device. The keys of the keypad are capable of representing different values of functions based on the position of the cover lid of a flip phone. When the cover lid is closed, the screen is partially covered and the keys, presented on the front of the cover lid, have a first set of functions.

When the cover lid is opened, the full screen is revealed and the keys are then facing in the opposite direction to the screen. The function of he keys is altered such that they are easier to use when the cover lid of the phone is open.

Swerup discloses that when a flip cover is opened, the display orientation changes from portrait to landscape and the functions of the backwards facing keys are altered.

It is respectfully submitted that it does not make sense to isolate the interchange of the function of the keys from Swerup from the use of a flip cover lid. The only reason for changing the function of the keys arises from the use of the flip. The teaching of Swerup, if incorporated into Ali, would result in the keys being swapped from forward facing to backward facing when the function of the keys change. As the control content must be present on the display (forward facing), there is no way this combination of references could allow the keys to remain adjacent the control content when the interchange of function occurs.

It is also noted that there is no disclosure of control content being present on the screen of the device in Swerup.

In summary, it is submitted that none of the references cited by the examiner discloses the claimed feature of interchanging the first control content and the second control content, such the first control content is adjacent the second input key and the second control content is adjacent the first input key.

If none of the individual references disclose this feature, if follows that no combination of the references can disclose this feature. The examiner acknowledges that this feature provides an advantage as it "would be troublesome to the user if he had to learn a new configuration layout to each mode".

Moreover, it is submitted that, for the above-described reasons, the combination of Ali and Larson and the combination of Ali and Swerup would not be made, and if made, would not result in the claimed invention.

For these reasons, it si respectfully submitted that the features of claim 38 are novel and inventive over the cited prior art. The foregoing arguments apply also to the independent claims 50 and 92.

The independent claims 53, 61, 62, 71, 77, 78 and 95 relate to a second embodiment of the presently claimed invention, wherein the size of a "display area" is changed. In the implementation described in the specification, a device can emulate the resolution of the display of another device by reducing the resolution of the display of another device by reducing the resolution of its own display (i.e. reducing its "display area" _ see in particular, page 8 at line 16 to page 10 at line 2, and Figs. 6A to 6C).

In this Office Action, the examiner has rejected the independent claims 71, 78, and 95 under U.S.C. 102 as being anticipated by Elsmore. Elsmore discloses a display terminal adapted to present character information, in any one of a plurality of different display formats, within a display frame having approximately constant dimensions.

Each of the independent claims 71, 78 and 95 recite the feature that the information to be displayed is composed on a further device having a display with a particular size:

Claim 71: "...receiving, at a device, first information content composed on a further device in a display area having a first size.."

Claim 78: "...receiving, from a device, information content composed in a display area of a first size on the device..."

Claim 95: "... following reception of the first information content from a device, wherein the first information content is composed on the device in a second display area having a second size .."

At column 1, lines 12-17, Elsmore discloses "In systems in which a host computer operates in conjunction with a plurality of display terminals, with or without an intermediate controller, it is common for the host computer to run application programs that instruct each terminal to display character information in a particular logical screen size or display format".

There is no disclosure in Elsmore of where the information content is composed. It is submitted that Elsmore does not therefore explicitly disclose the above feature of the claims.

This feature provides an advantage as, for example, it allows a first user of a first device to create content on the device and to send it to k for example, a second user of a second device. Embodiments of the presently claimed invention allow the second device to display the content as it was seen by the first user on the display of the first device.

There is no disclosure in Elsmore of the creation of content on a device and there would be no motivation to modify the teaching of Elsmore to arrive at this feature as Elsmore deals only with the displaying of content. It is respectfully submitted that independent claims 71, 78 and 95 are novel and inventive over the cited prior art.

The examiner has further rejected independent claims 53, 61, 62 and 77 under 3r5 U.S.C. 103 as being unpatentable over Elsmore in view of Sameshima. Each of these

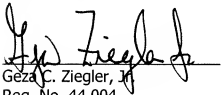
claims also recites the feature discussed above in relation to the examiner's rejection under 35 U.S.C. 102(b). The above arguments therefore also apply in relation to these independent claims. There is no disclosure in Sameshima of displaying content in the format that it was created on a further device. It is therefore submitted that these claims are also novel and inventive over the cited prior art.

Accordingly, arguments have been made in relation to all pending independent claims. Since the independent claims are novel and non-obvious, the claims that depend from them are also novel and non-obvious.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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